



**STATE OF MONTANA**  
**DEPARTMENT OF ADMINISTRATION**  
**STATE INFORMATION TECHNOLOGY SERVICES DIVISION**



## Chief Information Officer

# Advisory

**May 11, 2011**

**To:** Distribution

**Subject:** Reminder: Implementation of Title 2, Chapter 6, Part 5 Agency Protection of Personal Information, MCA

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HB155, a bill passed by the legislature and signed by the governor in 2009, requires state agencies to protect certain personal information, develop procedures to protect social security numbers, and provide a notification procedure for state agencies or third parties regarding a breach suspected of comprising certain personal information. HB 155 became [Title 2, Chapter 6, Part 5 Agency Protection of Personal Information](#).

Each state agency in existence on October 9, 2009 is required to come in to compliance with this law by **September 1, 2012**. A state agency that is created after October 1, 2009 must complete the requirements of this law within one year of its creation. The chief information officer (CIO) may grant an extension to any state agency subject to provisions contained in the Montana Information Technology Act.

The requirements are:

- develop procedures to protect the social security number while enabling the state agency to use the social security number as necessary for the performance of its duties under federal or state law. [2-6-502, MCA](#); and
- make reasonable efforts to notify any person whose unencrypted personal information was or is reasonably believed to have been acquired by an unauthorized person. [2-6-504, MCA](#)

Please address any questions, comments or concerns to:

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**Advisory Disposition:** Retain until September 1, 2012.

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